

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VALLEY NATIONAL GAS, INC.,

Plaintiff,

Case No. 07-11675

v.

Honorable John Corbett O'Meara

MICHAEL B. MARIHUGH,

Defendant.

**ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION AND
DENYING AS MOOT PLAINTIFF'S MOTION TO PLACE UNDER SEAL**

This matter came before the court on Defendant's counsel's October 11, 2007 motion for reconsideration. Plaintiff filed a response November 8, 2007. Also on November 8, 2007, Plaintiff filed a motion to place under seal Docket No. 32. Defendant's counsel filed a response acquiescing in that request. Pursuant to Local Rule 7.1(g)(2)(E.D. Mich. Dec. 1, 2005), no oral argument was heard.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Local Rule 7.1(g)(3).

In this case Defendant's counsel's motion for reconsideration merely presents the same issues ruled upon by the court. It demonstrates no palpable defect by which the court and the parties have been misled.

ORDER

It is hereby **ORDERED** that Defendant's counsel's October 11, 2007 motion for reconsideration is **DENIED**.

It is further **ORDERED** that Plaintiff's November 8, 2007 motion to place under seal Docket No. 32 is **DENIED AS MOOT**.

s/John Corbett O'Meara
United States District Judge

Date: February 29, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, February 29, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager